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09/353,537	07/14/1999	STEPHEN Y.F. PANG	19009-000420	3726

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EXAMINER

HO, CHUONG T

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 05/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PR2

Office Action Summary

Application No.

09/353,537

Applicant(s)

Stephen Y. Pang

Examiner

Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 10, 2003
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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1. The amendment filed 04/10/2003 have been entered and made of record.
2. Applicant's argument filed 04/10/03 have been fully considered but they are not persuasive.

As per to Applicant's argument, see page 11, lines 4-5, the Applicant's argue in substance the following:

"Clearly, even if the references were combined, neither show or suggest the "policing server," in the manner claimed."

The Applicant's argument is not persuasive.

In response to Applicant's argument, Mc Cormick et al. shows an address filtering server which serves as the policing server. Mc Cormick further shows updating of the banned/barred address list by the user (see col. 2, lines 53-63).

What Mc Cormick does not show is SPAM icon. Note that Mc Cormick discloses the user of a "Trash Bin" for discarding e-mail whose address would have to be added to the banned list (No Admittance list). It is well known that the GUI interfaces "Trash Bin" represented by a trash can icon. Clearly, these icons are used in most windowed type operating system.

A benefit to this action is that recipient need not perform any special action besides selecting the one button "SPAM" button.

McCormick et al. discloses the policing server (see col. 6, lines 34-38, the address filter server 22 would relay e-mail filter user requests to the filter database (no admittance address list, guest address list) of the database server 24 and meeting appropriate calls via RPC to library on the

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database server or by sending SQL commences to the database directory. The address filter service will be implemented via connection based (TCP) communication).

3. Claims 1-12 are pending.

DETAILED ACTION

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCormick et al. (U.S. Patent No. 6,023,723) in view of "Here is a zmail ban-spam button" (07 October 1997).

In the claim 1, McCormick et al. discloses a system for policing an unsolicited e-mail (filter junk e-mails)(see figure 3) comprising:

- ◆ a plurality of clients (17, 19), each coupled together using a wide area network (Internet and/or intranet 11) of computer comprising an Internet; a policy server (central e-mail system 21) coupled to each of the plurality of clients (17, 19) through the wide area network (Internet and/or intranet 11) of computers;
- ◆ the policing server being adapted to receive the indication (updated filter addresses) from the client to the policing server (see col.6, lines 33-38, col. 7, lines 45-48).

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McCormick, however, does not disclose an icon on the display, the icon being adapted to send the indication from the client.

“Here is a zmail ban-spam button” (07 October 1997) discloses wherein the e-mail device comprises an SPAM icon (ban-spam button) on the display, the SPAM icon being adapted to send the indication from the client to the policing server (see “Here is a zmail ban-spam button”, to ban repeat spam, you only needs the procmail steps below. The zmail steps simply provide a push-button interface to ban repeat spam).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the McCormick’s system with the teaching of “Here is a zmail ban-spam button” to provide an option icon on the display in order to help the client to speed up removing the Junk mail (SPAM). Therefore, the modified system would have been enable the policy server being adapted updated e-mail filter in response to each client notification.

6. In the claim 2, McCormick et al. discloses the policing server (figure 1, central location 46) is adapted to report the unauthorized e-mail message (unwanted e-mail message) (see col. 3, lines 55-56).

7. In the claim 3, McCormick et al. discloses the policy server is adapted to updated a local e-mail filter for the client (25) in response to the unsolicited e-mail (see col. 4, lines 49-56).

8. In the claim 4, McCormick et al. discloses each of clients (17, 19) comprises an updated e-mail filter from the policy server (central location 21) (see figure 3, col.4, lines 48-56).

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9. In the claim 5, McCormick et al. discloses the policing server comprises a log of the unsolicited e-mail (see figure 3, col.4, lines 48-56).

10. In the claim 6, McCormick et al. discloses the unsolicited e-mail message is SPAM (see figure 2, col.4, lines 8-14).

11. In the claim 7, McCormick et al. discloses the display comprises a browser program, the browser program being coupled to the e-mail device (see figure 3, web browser or e-mail access application).

12. In the claim 8, McCormick et al. discloses each of the plurality of clients (17, 19) is for a different user, where each user is capable to sending the unsolicited e-mail message to the policy server (central location 21) (see col. 4, lines 49-56).

13. In the claim 9, McCormick et al. discloses the policing server (centralized server 21) comprises a plurality of SPAM filters (see figure 3, col.4, lines 49-56).

14. In the claim 10, McCormick et al. discloses each of clients (17, 19) is coupled to the wide area network (Internet 11) of computers through an Internet service provider (see figure 3).

15. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combined system of (McCormick - "Here is a zmail ban-spam button") in view of Birrell et al. (U.S.Patent No. 6,189,026 B1).

In the claims 11, 12, the combined system of (McCormick - "Here is a zmail ban-spam button") discloses the limitations of claim 1 above.

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However, the combined system of (McCormick - "Here is a zmail ban-spam button") does not disclose the policing server is provided at a governmental authority.

Birrell et al. discloses a plurality of client computers connected to a mail service system (policing server) via a network (see col. 2, lines 1-2). The mail service system 200 includes one or more server computers. Usually, the system 200 is part of some private network (intranet) connected to the public network 120. Typically, an intranet is a distributed computer system operated by some private entity for a selected user base, for example, a corporate network, a government network, or some commercial network (see col. 3, lines 56-60). In the mail service system 200, the servers are configured to maintain user account, to receive, filter.... (see col. 4, lines 27-28); comprising:

- ◆ the policing server is provided at a government authority (see col. 3, lines 56-60, col. 4, lines 27-28).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system of (McCormick - "Here is a zmail ban-spam button") with the teaching of Birrell to provide the policing server at a government authority in order to stop junk e-mail senders. Therefore, the combined system would have been enable the policing server to filter out the junk e-mail according to the junk e-mail sender data files.

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

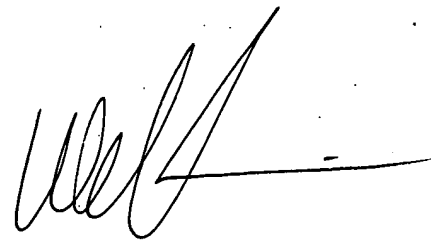
Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong Ho whose telephone number is (703)306-4529. The examiner can normally be reached on Monday-Friday from 9am to 3pm.

18. Any inquiry of a general nature or relating to the status of this application or proceeding should be direct to the group receptionist whose telephone number is (703) 305-3900.

CH

Date 04-28-03



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